

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

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Parks Economy Market, LLC)	
t/a Parks Economy Market)	
)	
Application for a Retailer's)	License no.: 60534
Class B License – Renewal)	Case no.: 10520-06/039P
at premises)	Order no.: 2007-008
1804 D Street, N.E.)	
Washington, D.C.)	
<hr/>)	

Parks Economy Market, LLC, Applicant

Joseph Fengler, Chairman, on behalf of Advisory Neighborhood Commission 6A,
Protestant

BEFORE: Charles A. Burger, Chairperson
Vera M. Abbott, Member
Judy A. Moy, Member
Audrey E. Thompson, Member
Peter B. Feather, Member
Albert G. Lauber, Member

ORDER ON VOLUNTARY AGREEMENT AND WITHDRAWN PROTEST

The renewal application for a Retailer's Class "B" License, having been protested, came before the Board on January 25, 2006, in accordance with D.C. Official Code § 25-601 (2001). Joseph Fengler, Chairman, on behalf of Advisory Neighborhood Commission ("ANC") 6A, filed timely opposition by letter.

The official records of the Board reflect that the parties have reached an agreement which has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated March 1, 2006, the Protestant has agreed to withdraw its protest, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

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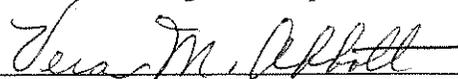
Accordingly, it is this 24th day of January 2007, **ORDERED** that:

1. The protest of Joseph Fengler, Chairman, on behalf of ANC 6A, is **WITHDRAWN**;
2. The renewal application of Parks Economy Market, LLC, t/a Parks Economy Market, for a Retailer's Class "B" License at 1804 D Street, N.E., Washington, D.C., is **GRANTED**;
3. The above-referenced agreement is **INCORPORATED** as part of this Order;
and
4. Copies of this Order shall be sent to the Protestant and the Applicant.

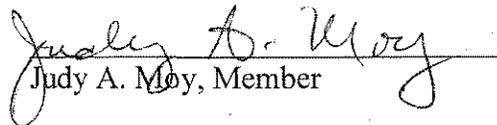
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District of Columbia
Alcoholic Beverage Control Board

Charles A. Burger, Chairperson

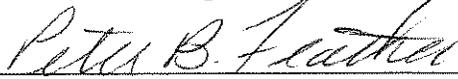


Vera M. Abbott, Member

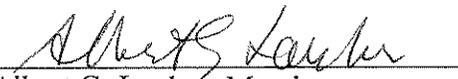


Judy A. Moy, Member

Audrey E. Thompson, Member



Peter B. Feather, Member



Albert G. Lauber, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



Class A and Class B Liquor License Cooperative Agreement

Made this first day of March, 2006, by and between

Parks Economy Mart, (Class "B" Licensee)

1804 D Street
Washington, DC 20002
("Applicant")

and

Advisory Neighborhood Commission 6A

Preamble

Through this agreement, both parties aim to create an environment whereby the applicant may operate as a viable contributing business to the ANC 6A community, while concurrently curtailing any adverse effects a business such as the applicant's could have on the surrounding neighborhood. This agreement applies to Class A liquor licenses that permit retail sale of beer, wine, and spirits for off premises consumption and Class B liquor licenses that permit retail sale of beer and wine for off premises consumption.

The applicant agrees to work regularly with the ANC 6A, neighborhood associations, and residents to ensure the business operations do not adversely affect the surrounding neighborhood. All parties believe the statements and provisions contained in this agreement are reasonable and must become wholly integrated into the day-to-day operation of the business establishment.

Further, ANC 6A acknowledges that this Cooperative Agreement shall be presented to all Class "A" and Class "B" applicants within the boundaries of ANC 6A. To the greatest extent possible, the ANC will not insist upon or allow any significant changes to this Cooperative Agreement that will unfairly benefit or, conversely, cause competitive disadvantage to, any individual applicant or establishment within the ANC, unless such change is required by the District of Columbia government, other authorized governmental bodies, or rule of law.

The community and merchants have agreed that it is in all the parties' best interests to standardize the requirements for the operation of Class A and Class B establishments within the boundaries of ANC 6A. The community and merchants understand and agree that the changes imposed upon the operations of all licensees within the ANC as set forth herein are important measures to protect the safety, peace, order and quiet of the neighborhood, its residents, and businesses. It is the intent, therefore, of ANC 6A, to level the playing field through the implementation of this standardized Cooperative Agreement.

Witnessed

Whereas, Applicant's premises is within the boundaries of ANC 6A; and,

Whereas, the parties desire to enter into an agreement governing certain requirements and understandings regarding the issuance of a Retailer's Class "B" Liquor License at the subject premises; and,

Whereas, the parties wish to state their mutual intention and commitment to promote the success, peace, order, and quiet of the community. Both parties recognize the importance of commercial districts (and limited commercial operations within residential districts) and their adjacent neighborhoods that are safe, clean, and "pedestrian friendly."



Class A and Class B Liquor License Cooperative Agreement

The Parties Agree As Follows:

1. Clear bags must be used for all purchases of single sales of beer, malt liquor, ale, wine or fortified wine.
2. Ban on Sale/Provision of Other Items:
 - A. Single Cigarettes:
 - 1) Applicant shall not sell, give, offer, expose for sale, or deliver individual single cigarettes.
 - B. "Go-cups":
 - 1) Applicant shall not sell, give, offer, expose for sale, or deliver "go-cups" or servings of plain ice in a cup.
 - 2) Per the Alcoholic Beverage regulations, a "go-cup" is defined as: "a drinking utensil provided at no charge or a nominal charge to a customer for the purpose of consuming alcoholic beverages off the premises of an establishment."
 - C. Products associated with illegal drug activity:
 - 1) Applicant agrees to not sell, give, offer, expose for sale, or deliver products associated with illegal drug activity.
 - 2) These items are defined as: "cigarette rolling papers, pipes, needles, small bags, or any other items which may be regarded as drug paraphernalia."
3. Hours of Operation for Sales of Alcohol:
 - A. For Class B applicants, the sale of alcohol shall be restricted to the following hours:
 - 1) 9:00 a.m. – 10:00 p.m. Monday – Friday
 - 2) 9:00 a.m. – 10:00 p.m. Saturday
 - 3) 10:00 a.m. – 8:00 p.m. Sunday
4. Public Space Cleanliness and Maintenance:
 - A. Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
 - 1) Picking up trash, including beverage bottles and cans, and all other trash a minimum of once daily.
 - 2) Exercising due diligence to prevent and/or rid vermin infestation in and around the establishment, including following, minimally, the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
 - 3) Watering, and generally tending to tree boxes directly in front of the subject premises, if any.
 - 4) Maintaining regular trash removal service. Ensure that the trash and dumpster area(s) remain clean.
 - 5) Remove snow and/or ice from sidewalks fronting (includes sidewalks on the sides of corner buildings) within time limits set by the District of Columbia for such snow and/or ice removal.
 - 6) Promptly remove graffiti written on the exterior walls of the property. Promptly is defined as within two (2) weeks of graffiti's appearance. If extent of graffiti creates difficulty in complying with 2 week requirement, parties shall agree on reasonable time period.
5. Signage / Loitering / Illegal Activity:
 - A. Applicant will not, directly or indirectly, sell or deliver alcohol to any intoxicated person, or to any person of intemperate habits, or to any person who appears to be intoxicated. A person of intemperate habits shall be defined as any person arrested or cited for alcohol-related offences by the Metropolitan Police Department for any alcohol-related crime three times or more in any one year and who has been so identified to the licensee by the Metropolitan Police Department by giving a photo and name to the licensee.
 - B. Applicant shall post a notice kept in good repair and visible from point of entry a sign, which states:
 - 1) The minimum age requirement for purchase of alcohol,
 - 2) The obligation of the patron to produce a valid identification document in order to purchase alcohol.



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



Class A and Class B Liquor License Cooperative Agreement

In Witness Whereof

The parties have affixed hereto their hands and seals.

Applicant:

By: Soan Nam Park

Date: 03-01-06

Signature: [Handwritten Signature]

ABC Board-Licensed Manager:

By: _____

Date: _____

Signature: _____

Advisory Neighborhood Commission 6A:

By: Joseph Fengler

Date: 03/03/06

Signature: Joseph Fengler



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



March 3, 2006

Charles Burger, Chairman
Alcohol Beverage Regulatory Administration
941 North Capitol, NE, Suite 7200
Washington DC 20002

Dear Chairman Burger,

After completing negotiations between our Commission and the respective owners of China House, (1601 Benning Road, NE) and Park's Economy Mart (1804 D Street, NE), we are submitting a fully executed copy of a Voluntary Agreement with each liquor licensee. At our February 9, 2006 meeting, and with a quorum of commissioners present, we unanimously approved these cooperative agreements.

Upon Alcohol Beverage Regulatory Administration's acceptance of these Voluntary Agreements, which will be made a part of each owner's license, our Commission has no further issues before the Board regarding these establishments. Accordingly, we will discontinue our protest of Class B liquor license renewals for both China House and Park's Economy Mart.

As always, your assistance in assuring proper handling of this matter is greatly appreciated.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A